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Chairman: Mr. Al Bayati ..... (Iraq)

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The meeting was called to order at 10.20 a.m.

Agenda item 41: Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions (*continued*) (A/C.3/61/L.47)

Draft resolution A/C.3/61/L.47: Enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees

1. **The Chairman** invited the Committee to adopt the draft resolution.

2. *Draft resolution A/C.3/61/L.47 was adopted.*

3. **Mr. Ballestero** (Costa Rica), after thanking the delegation of Estonia for sponsoring the draft resolution and the other delegations for their support, reaffirmed Costa Rica's well-known commitment to refugees and its determination not only to defend their interests but also to ensure that the Executive Committee established best practices.

Agenda item 64: Indigenous issues (*continued*) (A/61/376 and 490)

(a) Indigenous issues (*continued*)

(b) Second International Decade of the World's Indigenous People (*continued*)

4. **The Chairman** said that since no draft resolution had been submitted under agenda item 64, he invited the Committee to take note, in accordance with General Assembly decision 55/488, of the note by the Secretary-General transmitting the report of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people (A/61/490) and the report of the United Nations High Commissioner for Human Rights on the status of the United Nations Voluntary Fund for Indigenous Populations (A/61/376).

5. *It was so decided.*

Agenda item 65: Elimination of racism and racial discrimination (*continued*)

(a) Elimination of racism and racial discrimination (*continued*) (A/C.3/61/L.49)

Draft resolution A/C.3/61/L.49: Elimination of racism and racial discrimination

6. **The Chairman** said that the draft resolution had no programme budget implications.

7. **Ms. Klopčič** (Slovenia), introducing the draft resolution on behalf of the original sponsors, Belgium and Slovenia, as well as Andorra, Angola, Armenia, Azerbaijan, Bangladesh, Benin, Bolivia, Cameroon, Canada, Cape Verde, the Central African Republic, Chile, China, the Congo, Costa Rica, Côte d'Ivoire, the Democratic Republic of the Congo, the Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Kenya, Japan, Kazakhstan, Lesotho, Liechtenstein, Madagascar, Mauritania, Morocco, Namibia, Nigeria, Norway, Pakistan, Saint Lucia, Saint Vincent and the Grenadines, Senegal, Serbia, South Africa, Sri Lanka, Switzerland, Thailand, Timor-Leste, Ukraine, Uzbekistan, Venezuela (Bolivarian Republic of), Zambia and Zimbabwe, said that it had been drafted by Belgium and Slovenia. Submitted every two years, it addressed important issues for the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination and for the functioning of the associated Committee.

8. Three revisions had been made to the original text: in paragraph 2 the words "early warning measures and urgent procedures" and "on issues such as the prevention of genocide" had been deleted, thereby restoring the language of General Assembly resolution 59/176. The words "one hundred and seventy-two" at the end of paragraph 18 had been replaced by "one hundred and seventy-three"; and the phrase "under the item on the elimination of racism and racial discrimination" had been added at the end of paragraph 24. The sponsors hoped that, as in previous years, the draft resolution would be adopted without a vote.

9. *Draft resolution A/C.3/61/L.49, as orally revised, was adopted.*

10. **Ms. Hughes** (United States of America), referring to the eighth preambular paragraph regarding financing for CERD from the regular budget, reaffirmed her delegation's position that treaty-body expenses should be funded exclusively by States parties, as originally provided in the Convention. Also, paragraph 21 urged all States to ratify or accede to the Convention, as a matter of urgency. The United States, an active party to the Convention, strongly condemned racial discrimination and supported its goals. However, in order to preserve the sovereignty of States, it was

opposed to language that did more than ask States to consider becoming parties to a treaty.

Agenda item 67: Promotion and protection of human rights (*continued*)

(a) Implementation of human rights instruments (*continued*) (A/C.3/61/L.15)

Draft resolution A/C.3/62/L.15: Torture and other cruel, inhuman or degrading treatment or punishment

11. **Mr. Khane** (Secretary of the Committee), speaking with regard to the financial implications of the draft resolution and referring to paragraph 17 thereof, said that, according to the revised estimates resulting from resolutions and decisions adopted by the Human Rights Council at its first session (A/61/530), the entry into force of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment would require $2,373,300, net of staff assessment, for the establishment of the relevant subcommittee under article 2, paragraph 1, of the Optional Protocol and for its secretariat. Although provisions already existed in section 2 (General Assembly and Economic and Social Council affairs and management) in respect of conference-servicing costs, additional provisions totalling $830,900 (section 23, Human rights, $792,700; and section 28E, Administration Geneva, $38,200) were required for the biennium 2006-2007 for the subcommittee's activities. It was estimated that those amounts could be accommodated within the 2006-2007 programme budget.

12. **Mr. Rehfeld** (Denmark), speaking on behalf of the sponsors, said it was regrettable that Member States often highlighted their differences rather than celebrating the many issues on which they stood united. In seeking dialogue and cooperation, it was important not to lose sight of the fact that the United Nations was built on fundamental norms and principles to which all Member States subscribed.

13. The absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment was one such principle, and a value on which the international community based its common belief in human dignity. The United Nations therefore had a special responsibility to speak out against the horrors of continuing torture and mistreatment around the world.

14. Drawing attention to paragraph 22 of the draft resolution, he said that the words "in accordance with the standard terms of reference" should be deleted in order to bring that paragraph into line with the language of draft resolution A/C.3/60/L.25/Rev.1.

15. After pointing out that India had been included in the list of original sponsors of the draft resolution as the result of a technical error he announced that Albania, Andorra, Argentina, Australia, Bangladesh, Belarus, Burkina Faso, the Democratic Republic of the Congo, El Salvador, Ghana, Honduras, Israel, Kenya, Micronesia (Federated States of), Peru, Serbia and the former Yugoslav Republic of Macedonia had joined the sponsors of the draft resolution.

16. **The Chairman** announced that Angola, Burundi, the Central African Republic, Côte d'Ivoire, the Dominican Republic, Madagascar, Mauritania, Moldova, Mongolia, Timor-Leste and Ukraine had also become sponsors of the draft resolution.

17. *Draft resolution A/C.3/61/L.15, as orally revised, was adopted.*

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*) (A/C.3/61/L.28)

Draft resolution A/C.3/61/L.28: Combating defamation of religions

18. **Ms. Ajalova** (Azerbaijan) said that the sixteenth preambular paragraph had been revised to read: "*Deeply alarmed* at the rising trend towards discrimination based on religion and faith, including in some national policies and laws that stigmatize groups of people belonging to certain religions and faiths under a variety of pretexts relating to security and illegal immigration, and *noting* that the increased intellectual and media discourse is among the factors exacerbating such discrimination,". Paragraph 9 had also been revised and should read: "*Emphasizes* that everyone has the right to freedom of expression, which should be exercised with responsibilities and may therefore be subject to limitations as provided by law and necessary for respect of the rights or reputations of others, protection of national security or of public order, public health or morals and respect for religion and belief". The draft resolution was timely, and the sponsors hoped that it would be adopted with wide support.

19. **The Chairman** announced that Belarus and Venezuela (Bolivarian Republic of) had also become sponsors of the draft resolution.

20. **Ms. Hughes** (United States of America), speaking in explanation of vote before the voting, said that the United States had been founded on the principle of freedom of religion. A State must not only recognize, but also protect, the right of each of its citizens to choose a religion, to change religions and to worship freely. That meant that a State must not discriminate against individuals who chose a particular religion or chose to practise no religion at all and must have a legal framework to allow individuals the freedom of worship without fear of persecution.

21. Her delegation agreed with many of the general tenets contained in the draft resolution and deplored the denigration of religion. The draft resolution was incomplete, however, as it failed to address the situation of all religions and instead emphasized only one. More inclusive language would have furthered the objective of promoting religious freedom. Furthermore, the draft resolution called for excessive restrictions on freedom of expression which went well beyond the language found in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights.

22. The draft resolution defined defamation of religion as expressions which negatively projected Islam and did not take into consideration basic rights which were held dear by many, including the freedom to express negative opinions about a specific religion or all religions in general. Such criticism could not automatically be characterized as defamatory or as incitement to hatred. Freedom of expression and other basic political and civil rights, including freedom of religion, must be protected. As the draft resolution mentioned none of those rights, her delegation would vote against it.

23. **Ms. Pohjankukka** (Finland), speaking on behalf of the European Union; the acceding countries Bulgaria and Romania; the candidate countries Croatia and the former Yugoslav Republic of Macedonia; the stabilization and association process countries Albania, Bosnia and Herzegovina, Montenegro and Serbia; and, in addition, Liechtenstein, Moldova and Ukraine, said that tolerance and full respect for freedom of religion and belief were key in addressing sensitive issues and finding durable solutions to tensions arising from matters related to religion or belief. In that regard, the European Union's dialogue with the main sponsors of the draft resolution had clarified the differences in approaches to combating defamation of religions, and her delegation hoped to build on that interaction in establishing a platform for constructive and genuine dialogue on related human rights issues within and outside the framework of the United Nations.

24. It was regrettable that fundamental difficulties persisted regarding the general approach, conceptual framework and terminology of the draft resolution, as reflected by the fact that the general thrust of the text remained unchanged. Moreover, in 2006, further controversial elements had been introduced. While that was an unfortunate development, her delegation appreciated that there had been some — albeit limited — discussion of the text and a slight accommodation of its concerns.

25. A broader, more balanced and firmly rights-based text would have been a more appropriate way of addressing the issues underlying the draft resolution. The focus of the Third Committee should be on human rights, including the use of human-rights concepts and the application of a rights-based approach to the issues considered. The European Union did not regard the concept of defamation of religions as valid in the context of discourse on human rights. International human rights law primarily protected individuals in the exercise of their freedom of religion or belief rather than religions themselves. Members of religions or communities of belief should not be viewed as mere particles of homogeneous and monolithic entities. Moreover, discrimination based on religion or belief, which constituted a serious violation of human rights, must be addressed comprehensively; it was vital to recognize that such discrimination was not confined to any one religion or belief, or to any one part of the world. Any action taken to promote tolerance and eliminate discrimination based on religion or belief should be based on and should reaffirm the equitable promotion and protection of all human rights, including freedom of religion or belief and freedom of expression.

26. Since the draft resolution, regrettably, was not in line with the fundamental principles guiding the European Union's approach to the issue, the countries concerned would vote against it.

27. **Mr. Bollavaram** (India) said that his delegation, which firmly opposed the defamation or negative stereotyping of any religion, had several specific concerns with the draft resolution. First, it focused excessively on a single religion. Secondly, there was a reference in the draft resolution to non-Muslim countries and Muslim countries. Most countries did not neatly fall into such categories. In fact, an overwhelming majority had communities belonging to a large number of religions, including Islam. Thirdly, defamation and stereotyping were problems which affected all religions. His delegation would therefore abstain in the voting on the draft resolution.

28. **Ms. Stewart** (Canada) said that respect for cultural, linguistic, ethnic and religious diversity was a critical element in Canada's work to promote and protect human rights both at home and abroad. Canada was a strong proponent of the right to freedom of thought, conscience, religion and expression; principles that were insufficiently reflected in the text of the draft resolution. It was troubling that the topic of the draft resolution was the protection of religions themselves, rather than the protection and promotion of the rights of adherents of religions, including persons belonging to religious minorities. Her delegation was also concerned that the text did not address the world's religions in a balanced manner. The draft resolution confused the issues of racism and religious intolerance instead of promoting a greater understanding of the relationship between them, and it did not adequately address the links between diversity and the fight against racism.

29. Her delegation would vote against the draft resolution.

30. *At the request of the representative of the United States of America, a recorded vote was taken on draft resolution A/C.3/61/L.28, as orally revised.*

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Chile, China, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Gabon, Gambia, Ghana, Guatemala, Guinea-Bissau, Guyana, Honduras, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Morocco, Myanmar, Namibia, Nicaragua, Niger, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Tunisia, Turkey, Turkmenistan, United Arab Emirates, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Moldova, Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Poland, Portugal, Romania, Samoa, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Armenia, Bolivia, Cape Verde, Colombia, Ethiopia, Fiji, Haiti, India, Kenya, Madagascar, Malawi, Mozambique, Nepal, Nigeria, Papua New Guinea, Republic of Korea, Rwanda, Solomon Islands, Swaziland, United Republic of Tanzania.

31. *Draft resolution A/C.3/61/L.28, as orally revised, was adopted by 101 to 53, with 20 abstentions.*

32. **Mr. Toh** (Singapore), said that his delegation had voted in favour of the draft resolution on the understanding that it applied to all religions. Singapore, as a multiracial and multireligious State and in the light of its past experience of racial tensions and

conflict, attached particular importance to ensuring religious, cultural and racial tolerance and promoting diversity. It therefore supported all efforts to combat ethnic, cultural or religious defamation, and condemned attempts to use religious and racial prejudice and stereotyping to target persons of any faith as scapegoats for perceived ills.

33. **Mr. Ballestero** (Costa Rica) said that his delegation had voted in favour of the draft resolution and welcomed its adoption. The draft resolution applied to all religions. Freedom of expression, like other freedoms and rights, was not absolute. The wording in paragraph 9, which included a reference to national security — a concept with a specific history — could be improved. The limitations to freedom of expression were no excuse to limit that freedom per se. His delegation hoped that the Committee could have an open and broad dialogue in future.

(c) Human rights situations and reports of special rapporteurs and representatives (*continued*) (A/C.3/61/L.37)

Draft resolution A/C.3/61/L.37: Situation of human rights in the Democratic People's Republic of Korea

34. **Mr. Khane** (Secretary of the Committee), speaking with regard to the financial implications of the draft resolution and referring to paragraph 5 thereof, said that budgetary provisions had already been made for the activities related to the various human rights mandates listed in the annex to the Human Rights Council decision 1/102, within resources approved under section 23, Human rights, of the programme budget for the biennium 2006-2007.

35. By decision 1/102, the Human Rights Council had decided to extend exceptionally for one year the mandates and the mandate holders of all the Commission's special procedures of the Subcommission on the Promotion and Protection of Human Rights as well as the procedure established in accordance with Economic and Social Council resolution 1503 (XLVII), as listed in the annex to the decision. The Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea fell within the purview of that decision.

36. **Mr. Amorós Núñez** (Cuba), speaking on behalf of the Movement of Non-Aligned Countries, endorsed the statement regarding country-specific resolutions made by the Heads of State or Government of Non-Aligned Countries at the Fourteenth Summit Conference, in which they had opposed the exploitation of human rights for political purposes and condemned selectivity and double standards in the promotion and protection of human rights. His delegation encouraged all States members of the Movement to adhere to those principles when casting their votes on the country-specific draft resolutions.

37. **Ms. Suikkari** (Finland), speaking on behalf of the original sponsors and Albania, Andorra, Bosnia and Herzegovina, Bulgaria, Honduras, Iceland, Monaco, Nicaragua, Palau, Moldova, Serbia, the former Yugoslav Republic of Macedonia and Turkey, said that the European Union had again attempted to initiate a dialogue with the authorities in the Democratic People's Republic of Korea regarding the draft resolution and sincerely regretted that its overtures had been rejected.

38. The draft resolution highlighted the developments welcomed by the Special Rapporteur in his report (A/61/349), in particular the Government's submission of reports to certain treaty bodies. However, as the Special Rapporteur himself observed in his report, there was still a huge gap between formal recognition of human rights and substantive implementation of human rights. The draft resolution therefore drew attention once again to the continued reports of the systematic, widespread and grave violations of human rights perpetuated by the absence of due process and rule of law. It also focused on the Government's continued refusal to recognize the mandate of the Special Rapporteur and its continued failure to engage in any technical cooperation activities with the United Nations High Commissioner for Human Rights and her Office.

39. So long as the Government continued to refuse the offers of advice, assistance and capacity-building from the United Nations system in the field of human rights, the international community had little choice but to continue drawing attention to the deplorable situation with a view to the eventual alleviation of the plight of the people of the Democratic People's Republic of Korea.

40. **Mr. Kim** Chang Guk (Democratic People's Republic of Korea) said that his Government resolutely opposed the draft resolution, which was the product of a political plot by the United States of America and its

satellite countries to undermine the sacrosanct sovereignty of the Democratic People's Republic of Korea and to interfere in his Government's internal affairs. It was characterized by politicization, selectivity and double standards and aimed at isolating and stifling the country under the guise of a unanimous message from the international community.

41. The United States had earmarked tens of millions of dollars for action against his Government every year. Japan, which harboured a crazy, inveterate enmity towards his Government and ambitions to reinvade the country, had enacted ridiculous legislation following the example of the United States. The European Union, for its part, had done the United States bidding by sponsoring and forcibly pushing through the anti-Democratic People's Republic of Korea resolution every year

42. The main sponsors of the draft resolution were the world's worst human rights offenders, as they had perpetrated wars of aggression and cruelly violated the rights of peoples in a number of countries, century after century. Most recently, they had invaded Iraq, massacred civilians, established secret overseas prison camps, tortured and maltreated detainees and practised extreme discrimination against other races and migrants. Moreover, the invasion of Lebanon and, in particular, the slaughter of civilians by Israel under the active patronage of the United States, constituted war crimes. While remaining silent on such flagrant human rights abuses, the European Union selectively targeted independent countries, including his Government.

43. A draft resolution submitted by such hypocritical and double-faced delegations hardly reflected the will of the international community. His delegation would never accept such politically motivated "resolutions", no matter how many of their kind were adopted. Human rights entailed State sovereignty. His Government would never tolerate any attempt to undermine its sacred socialist system, a system chosen and defended by its people.

44. Country-specific resolutions not only brought about the politicization of United Nations human rights mechanisms, but also confrontation and mistrust among Member States, and thwarted the possibility of dialogue and cooperation between the authorities concerned. Nothing was more pressing than halting that anachronistic practice by the West.

45. **Mr. Shinyo** (Japan), after requesting the representative of the Democratic People's Republic of Korea to use appropriate language when addressing the delegations of other sovereign countries, emphasized the need to maintain a dialogue on human rights. He appealed to all delegations to support the draft resolution to improve the human rights situation, whose objective was not to name and shame but rather to urge the Government to work with the United Nations system to improve the human rights of its people and to take specific steps to engage in technical cooperation activities with the High Commissioner and her Office and to grant full access to the Special Rapporteur, to other United Nations human rights mechanisms and to humanitarian organizations.

46. Furthermore, the abduction issue remained unresolved. His delegation strongly urged the Government to respond honestly to inquiries into that matter, admit that its actions violated human rights, allow the abducted survivors to return to Japan or other countries of origin without delay and, lastly, conduct a thorough investigation and surrender the perpetrators responsible for the abductions.

47. **Ms. Nassau** (Australia) said that consideration of specific serious human rights situations around the world remained a core part of the Committee's work. The international community must continue to address, including through the Committee, egregious human rights abuses wherever they occurred through the use of country-specific resolutions. Her delegation was deeply concerned about reports of continued serious human rights violations in the Democratic People's Republic of Korea, including forcible repatriation of those who crossed the border, restrictions on freedom of movement, expression and political and religious association, and on persons with disabilities who had been reportedly incarcerated and maltreated. Her delegation had consistently urged the Government of the Democratic People's Republic of Korea to engage more fully with the international community in addressing human rights concerns and was reiterating that call through the present draft resolution.

48. **Mr. Saeed** (Sudan) said that his delegation would vote against the draft resolution, because it rejected country-specific resolutions, which were selective, used double standards and had paralysed the work of the Commission on Human Rights in the past, causing it to lose credibility and neutrality and to be replaced by the Human Rights Council. Under the Council,

strengthened dialogue and technical assistance were considered the best means to promote human rights, and it was hoped that the Council would be a platform for addressing human rights with objectivity and impartiality, without selectivity or politicization. No country could claim to have a perfect human rights record. Dialogue, cooperation, objectivity and neutrality must provide a basis for addressing human rights situations.

49. **Mr. Rachkov** (Belarus) said that Belarus consistently opposed country-specific resolutions, which were used for political purposes, inter alia, to exert political pressure on countries that pursued independent internal and external policies. Such resolutions had nothing to do with concern for human rights and were counterproductive; they must therefore be replaced with a different strategic approach based on mutually respectful dialogue and cooperation on human rights issues. The introduction of country-specific resolutions in the Third Committee undermined efforts by the international community to ensure the success of the Human Rights Council and to establish and implement the universal periodic review mechanism. His delegation would therefore vote against draft resolution A/C.3/61/L.37.

50. **Mr. Anshor** (Indonesia) expressed regret that the Committee was once again having to consider country-specific resolutions, since efforts to reform and enhance the human rights machinery, including through the establishment of the Human Rights Council, had included the idea of devising more constructive ways to address given human rights situations. Any endeavour to improve human rights situations wherever they occurred should be based on genuine dialogue, international cooperation and mutual respect. The Democratic People's Republic of Korea should heed the concerns expressed by the international community, including on the issue relating to the abduction of foreigners. The draft resolution under consideration was not likely to help the Committee to achieve the desired results in the Democratic People's Republic of Korea or to improve the ways in which the question of the promotion and protection of human rights was addressed in general. Consequently, his delegation would vote against the draft resolution.

51. **Mr. Amorós Núñez** (Cuba) expressed doubts about the text, which would neither ensure genuine cooperation in human rights nor implement the principles of the Charter of the United Nations. The text was not inspired by a genuine concern for human rights but rather was a clear exercise in selectivity, double standards and politicization, contradicting the desired spirit of cooperation which the establishment of the Human Rights Council was supposed to foster. Therefore, his delegation would vote against the draft resolution.

52. **Ms. Gendi** (Egypt) said that her delegation would vote against the draft resolution because it was a country-specific resolution and as such politicized human rights matters, was based on double standards and hindered objectivity and capacity-building. Country-specific resolutions tended to be presented without prior consultation and debate within the General Assembly, running counter to the spirit of cooperation. The Human Rights Council was the umbrella organization for addressing those matters and examining the best ways to improve human rights situations. Furthermore, certain countries which submitted draft resolutions to the Committee every year, when in the Human Rights Council voted against draft resolutions dealing with human rights violations in Palestine and other countries. That gave the impression of selectivity, non-objectivity and politicization of human rights. A unified way of addressing human rights situations needed to be found so that all countries would be treated the same way. Therefore, Egypt would vote against the resolution

53. **Mr. García-Matos** (Bolivarian Republic of Venezuela) reiterated his delegation's opposition to country-specific resolutions in addressing human rights, as they led only to politicization and selectivity and ran counter to the principles of the Charter of the United Nations with respect to sovereignty of States and non-interference in domestic matters. The countries which were lecturing others were themselves violating human rights with great sophistication. For progress to be made, such issues must be addressed through cooperation and frank and open dialogue rather than on a basis of selective condemnation. In that connection, the Non-Aligned Movement had reaffirmed, at its recent summit in Havana, that human rights matters must be dealt with in a global context and with a constructive approach, with objectivity, respect for sovereignty and territorial integrity, and non-selectivity as guiding principles. Therefore, his delegation would vote against the draft resolution.

54. **Ms. Halabi** (Syrian Arab Republic) said that her delegation was convinced that international efforts

could not yield positive results unless they fully respected sovereignty and different cultures, religions and civilizations. Country-specific resolutions like the one under consideration were clearly part of a political agenda rather than aimed at respecting human rights. Her delegation would therefore vote against the resolution.

55. *A recorded vote was taken on draft resolution A/C.3/61/L.37.*

In favour:

Afghanistan, Albania, Andorra, Argentina, Australia, Austria, Belgium, Belize, Bhutan, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, Comoros, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Guinea-Bissau, Honduras, Hungary, Iceland, Iraq, Ireland, Israel, Italy, Japan, Kazakhstan, Latvia, Lebanon, Liechtenstein, Lithuania, Luxembourg, Malawi, Maldives, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Moldova, Monaco, Montenegro, Morocco, Nauru, Netherlands, New Zealand, Nicaragua, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Samoa, San Marino, Saudi Arabia, Serbia, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Turkey, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

Against:

Algeria, Belarus, China, Cuba, Democratic People's Republic of Korea, Egypt, Indonesia, Iran (Islamic Republic of), Lao People's Democratic Republic, Libyan Arab Jamahiriya, Myanmar, Namibia, Russian Federation, Sudan, Syrian Arab Republic, Tajikistan, Togo, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Zimbabwe.

Abstaining:

Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Colombia, Congo, Costa Rica, Côte d'Ivoire, Democratic Republic of the Congo, Djibouti, Eritrea, Ethiopia, Guyana, Haiti, India, Jamaica, Jordan, Kenya, Kuwait, Kyrgyzstan, Lesotho, Liberia, Madagascar, Malaysia, Mali, Mauritania, Mauritius, Mozambique, Nepal, Niger, Nigeria, Pakistan, Qatar, Rwanda, Senegal, Sierra Leone, Singapore, South Africa, Sri Lanka, Suriname, Swaziland, Thailand, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Yemen, Zambia.

56. *Draft resolution A/C.3/61/L.37 was adopted by 91 votes to 21, with 60 abstentions.*

57. **Mr. Choi** Young-jin (Republic of Korea) said that his delegation had voted in favour of the draft resolution as there was a need to focus on the human rights situation in the Democratic People's Republic of Korea and on cooperation between it and the international community, especially following the country's recent nuclear test. He shared the international community's concern about human rights in the country, but placed priority on taking practical steps to improve them. He hoped that the draft resolution would be a first step in that direction and that the Democratic People's Republic of Korea would agree to a visit from the Special Rapporteur. He called on the international community to continue to seek a human rights dialogue with the Democratic People's Republic of Korea and to provide technical assistance with a view to making real progress to that end. His Government would persist in its efforts to improve the situation, in particular, as regards the right to food, while maintaining its policy of reconciliation and cooperation.

58. **Mr. Cheok** (Singapore) said that his delegation had consistently abstained on country-specific resolutions because they were often driven by political rather than human rights concerns. Its abstention should not, however, be seen as pronouncing a position on the human rights situation in the Democratic People's Republic of Korea. His delegation shared others' concerns about reports on conditions in that country, including those on the dwindling food situation and inadequate protection from winter, and was also deeply concerned about the country's nuclear test. He urged the Democratic People's Republic of Korea to adhere to the 2005 joint statement issued following the fourth round of the six-party talks, and

he welcomed the country's recent decision to return to the talks.

59. **Ms. Abdelhak** (Algeria) said that her delegation had voted against the resolution on the grounds that human rights must be promoted through dialogue and international cooperation, whereas country-specific resolutions maintained a climate of confrontation, which harmed human rights.

60. **Mr. Pham Hai Anh** (Viet Nam) explained that his delegation had voted against the draft resolution in accordance with his country's opposition to country-specific resolutions and its belief that human rights should be promoted without any politicization, double standards or selectivity. His delegation was also concerned about issues such as abduction, which it rejected.

61. **Ms. Zhang** Dan (China) regretted that the Committee had once again had to vote on a draft resolution on the human rights situation in the Democratic People's Republic of Korea. To effectively promote and protect human rights, it was important to strengthen dialogue and cooperation. Her delegation opposed exerting pressure on developing countries through country-specific resolutions and hoped that the Committee would become a forum for dialogue rather than a platform for exchanging accusations.

62. **Mr. Maia** (Brazil) said that the mechanism for universal review of human rights would help to ensure universality and non-selectivity in monitoring, and country-specific resolutions would be necessary only in grave situations.

63. His delegation had voted in favour of the draft resolution. While the Democratic People's Republic of Korea had made some progress in the area of human rights, including through its periodic reports to various treaty bodies, he regretted the allegations of grave human rights abuses and a lack of will to develop technical cooperation with the Office of the United Nations High Commissioner for Human Rights. He encouraged the Democratic People's Republic of Korea to engage in dialogue and international cooperation.

64. **Mr. Ballestero** (Costa Rica) said that the establishment of the Human Rights Council significantly strengthened consideration of the fundamental issue of human rights. It was of concern that the Committee was adopting country-specific resolutions, without giving the Council an opportunity to adopt a new approach. Historically, Costa Rica had supported country-specific resolutions. The facts in all the country-specific situations under consideration during the present session were irrefutable and in some cases were cause for alarm. His delegation was particularly concerned about the issue of abduction in the draft resolution under consideration. He appealed to the Democratic People's Republic of Korea to promptly address that and other important human rights issues.

65. The way in which human rights resolutions were considered needed to be changed. The Human Rights Council was the forum in which to deal with human rights violations. For that reason, his delegation had abstained in the vote on draft resolution A/C.3/61/L.37 and would do so in the case of all similar draft resolutions or those submitted as a direct reprisal. The Council must have the necessary freedom to develop its working methods.

66. **Mr. Kim** Chang Guk (Democratic People's Republic of Korea), having thanked those that had supported his delegation's position, said that his delegation would not regard the resolution as an authentic document of the United Nations. In order to contribute effectively to the improvement of human rights situations, the Third Committee must address and bring to an end the invasion and killing of innocent citizens of small and weak nations by the United States of America and other Western countries in the name of democracy and the war on terror. The most urgent human rights situations were the results of such actions. If Japan and the European Union were genuinely concerned about human rights, they should address the issue of the forced mobilization and kidnapping of 8.4 million Koreans and the century-long agonies of the Korean nation.

Agenda item 98: Crime prevention and criminal justice (*continued*) (A/61/96 and 178; A/C.3/61/L.14/Rev.1)

Draft resolution A/C.3/61/L.14/Rev.1: United Nations African Institute for the Prevention of Crime and the Treatment of Offenders

67. **The Chairman** said that the draft resolution had no programme-budget implications.

68. **Mr. Jokinen** (Finland), speaking on behalf of the European Union; the acceding countries Bulgaria and Romania; the candidate countries Croatia and Turkey;

the stabilization and association process countries Montenegro and Serbia; and, in addition, the Republic of Moldova and Ukraine, said that the European Union was ready to join a consensus on draft resolution A/C.3/61/L.14/Rev.1 but believed that in future years the draft resolution should revert to being an initiative of the African Group. In that regard, the European Union looked forward to close cooperation with the African Group and other interested delegations at the sixty-second session of the General Assembly.

69. **The Chairman** invited the Committee to adopt the draft resolution.

70. *Draft resolution A/C.3/61/L.14/Rev.1 was adopted.*

71. **The Chairman** suggested that, in accordance with General Assembly decision 55/488, the Committee should take note of the report of the Secretary-General on strengthening international cooperation and technical assistance in promoting the implementation of the universal conventions and protocols related to terrorism within the framework of the activities of the United Nations Office on Drugs and Crime (A/61/178) and of the note by the Secretary-General transmitting the reports of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime on its first and second sessions (A/61/96).

72. *It was so decided.*

The meeting rose at 12.35 p.m.